



Workforce

Redeployment Policy: guide for employees

This guide will help employees to understand and use the Redeployment Policy.

The following guide forms part of the standard for workforce policies. These policies apply to all eligible staff within NHSScotland, regardless of the board you are employed by. The guide covers:

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What is the purpose of the Redeployment Policy?

The Redeployment Policy provides a framework for identifying suitable alternative posts for displaced individuals or those who are unable to continue in their existing roles.

Who is covered by this policy?

The Redeployment Policy applies to all displaced employees or those employees who are unable to continue in their current role. It does not apply to bank, agency, or sessional workers.

Manager's responsibilities

There are 2 separate manager responsibilities within the Redeployment Policy:

- Manager of an employee who is subject to redeployment.
- Hiring manager recruiting to a role and may have an employee redeployed to the vacancy.

Your current manager is responsible for:

- Identifying where the Redeployment Policy would be applicable to their employees.
- Discussing the Redeployment Policy with you and making sure that you understand what is expected of you. This includes the need to participate actively in the redeployment process.
- Supporting you to complete the Redeployment referral form.
- Agreeing when you should be considered for redeployment.
- Arranging any training requirement identified to assist with matching you to suitable roles.
- Retaining overall management responsibility for you until you have been confirmed as successfully redeployed to an alternative role.

The hiring manager is responsible for:

- Using the agreed person specification for the post to consider the redeployee for vacancies promptly, objectively, and without prejudice.
- Actively considering reasonable adjustments to enable you to access continued employment.

- Providing clear expectations to you.
- Monitoring your progress in the new role.
- Raising any concerns or issues with you as soon as possible during the trial period to enable early discussion and resolution.
- Seeking advice from HR or designated redeployment contact, where necessary and appropriate, when dealing with redeployment issues.

Redeployment co-ordination

Redeployment can be coordinated centrally by a redeployment contact or HR practitioner.

The redeployment contact will:

- Coordinate details of all employees who are subject to redeployment.
- Use the information provided in the Redeployment referral form, the Skills profile form and any supporting information to identify potentially suitable post matches. This should be based on the essential criteria for the post, either immediately or with a reasonable period of training.
- Make sure employees matched to vacancies are appropriately prioritised based on the reason for their redeployment.
- Make sure that any employees on the redeployment register are formally matched to vacancies at any point in the recruitment process. This will normally be before advertising. However, it can be at any point before a conditional offer to candidates through the standard recruitment process.
- Liaise with managers recruiting for a vacancy to appropriately match employees to the role.
- Make sure that a manager's refusal to appoint an employee to a potential match can be justified, and if not, escalate appropriately.

Eligibility

There are a number of reasons why redeployment may be considered.

Organisational change

Organisational change may involve an employee being displaced because of a change in the number or nature of roles required. Local organisational change policies will detail the process followed within individual boards. In this situation, employees will be 'displaced as a result of organisational change', with the process to be followed as defined within this policy.

Employees affected by organisational change will be entitled to earnings protection in line with [Organisational change pay protection : PCS\(AFC\)\(2022\)01](#). This states that no detriment protection of salary will apply where:

- organisational change impacts an individual's contractual earnings
- the individual is redeployed into a lower-banded post

In these circumstances, the local Organisational Change Policy may provide further details of specific arrangements relating to redeployment.

Capability

This could be related to health or performance.

Guidance will be taken on the employee's ability to undertake roles. Occupational health guidance should be taken on fitness to work and whether any reasonable adjustments need to be considered.

Protection of earnings does not apply to redeployment due to capability.

End of fixed-term contract

Where redeployment results from a non-renewal of a fixed-term contract, the provisions will be in line with the [NHSScotland Fixed-term Contract Policy](#).

Protection of earnings does not apply to redeployment due to the end of fixed-term contracts, unless the expiry of the fixed-term contract would result in a redundancy situation. Further advice should be taken from HR if this situation is likely to apply.

Other appropriate circumstances

Managers may feel that there are other circumstances in which employees should be redeployed. If all other options have been explored, the circumstances should be discussed with HR before agreeing to redeployment with the employee. These will be determined on a case-by-case basis to make sure the principles of fairness and consistency of approach are applied.

Where redeployment may not be appropriate

Employees covered by visas

Managers should be fully aware of the visa conditions that apply to employees being considered for redeployment. Redeployment may not be possible for individuals being sponsored for a work visa due to the requirement to apply for an update to their visa. [More information about Skilled Worker visas can be found on the UK Government website.](#)

If you require a visa and may be eligible for redeployment, your manager should contact your HR department for further advice.

Employees unfit for work

Redeployment may not be appropriate for health cases if medical advice indicates that the employee is unfit for any type of work.

These situations should be managed through the [Attendance Policy](#). If appropriate, the principles of the Dying to Work Charter should be adhered to.

Redeployment process

Once it has been agreed that redeployment should be considered for you, your manager should meet with you to:

- discuss the provisions of the Redeployment Policy
- confirm your own and your manager's responsibilities
- support completion of the Redeployment referral form if required
- inform you of the joint responsibility to access the vacancy lists

Your manager is responsible for leading this process.

The form will be passed to the redeployment contact, who will, if necessary, meet with you to:

- confirm your existing knowledge and skills
- explore training and development opportunities to support potential redeployment

Access period

Your manager should maintain regular contact with you throughout the access period. This is to support you, discuss any identified matches, and discuss changes in personal circumstances that may affect redeployment.

If you are not able to do your current post while on redeployment, your manager should identify a meaningful role for you.

Your access to redeployment should be for 3 months in the first instance. The 3-month period will begin once the redeployment form has been completed. The form is expected to be completed promptly after it has been agreed upon that you will be given access to redeployment.

The access period for employees displaced due to non-renewal of a fixed-term contract can be for up to 3 months. It cannot be less than their contractual notice period. Access to redeployment will run concurrently with the notice period.

If you are not successfully matched to an alternative role within 3 months, your manager should meet with you to review this. It is an opportunity to consider whether an extension is appropriate or whether it has been clearly demonstrated that a suitable role will not be found.

The access period may be extended where:

- Suitable alternative employment opportunities have arisen or will arise within a reasonable time.
- An extension to the access period may amount to a reasonable adjustment for a disabled employee.
- Employees have been displaced due to organisational change, including those on grade protection.

You will retain your terms and conditions during this time.

In the case of organisational change, access to redeployment is available until a suitable alternative post is identified. Your manager should still carry out regular reviews to make sure all options are being fully considered.

Any decisions about extending access to redeployment should be discussed with the redeployment contact before making a decision. This is to make sure that the extension is appropriate.

Matching

The redeployment contact will use the completed Redeployment referral form and Skills profile form for matching. They will take the following into account:

- essential criteria for the role
- hours of work, shift pattern, and location
- your circumstances
- any training to support meeting the essential criteria

A record of posts considered as a potentially suitable alternative for you should be maintained. This should also include information on any posts declined and the reasons for this.

As redeployment aims to preserve employment, the redeployment contact will normally only consider you for posts at your current or a lower pay band. However, if you are disabled, consideration may be given to vacant posts at a higher pay band or grade in exceptional circumstances.

Exceptional circumstances are where no suitable matches can be identified at the current pay band.

Where several employees are suitable for an available post, the redeployment contact will consider the circumstances of redeployment. They will establish whether any employee takes priority over others due to displacement reasons or any characteristics protected under the Equality Act 2010.

The redeployment contact will:

- Match the employee with the highest priority to an available post.
- Advise the employee of the match and pass their details to the manager recruiting for the vacancy.
- Alert the employee's manager.

If no appointment is made, the same process will apply to those with the next priority level. The process will continue until an employee is appointed or the process is exhausted.

The order of prioritisation is based on the requirements of employment law and the agreed national position in NHSScotland. From highest to lowest, it will normally be as follows:

- Pregnant employees and employees on maternity, adoption or shared maternity or shared adoption leave, or neonatal care leave, subject to organisational change. This includes any protected period following on from maternity, adoption or shared maternity and shared adoption leave.
- Disabled employees in line with the Equality Act 2010.
- Employees displaced on the grounds of organisational change, including the expiry of fixed-term contracts resulting in redundancy.
- Employees being redeployed under the [Attendance Policy](#).
- Employees being redeployed under the [Capability Policy](#).
- Fixed-term employees in line with the [Fixed-term Contracts Policy](#).
- Employees returning from a career break longer than one year. [See Career Break Policy](#).
- Employees who are unable to continue in their existing role due to other exceptional circumstances.

If the hiring manager considers you unsuitable for the post, they should discuss this with the redeployment contact before giving you feedback.

Where you decline any post deemed a suitable alternative role, the redeployment contact will discuss this with you and your representative to explore the reasons fully. Your manager will be involved in this discussion and will decide whether the reasons are acceptable, as well as whether additional information is needed to assist with the matching process.

Consideration should be given to termination of employment in line with the NHSScotland Workforce Policy that led to you being placed on redeployment where you have:

- failed to engage with the process
- unreasonably refused suitable alternatives

Termination of employment may also be considered where there is no potential for suitable alternative employment.

Selection decisions

The hiring manager should not carry out a full interview as would be expected in a normal recruitment process and should focus on the agreed person specification and job description. The purpose of the selection meeting is to make sure that you have sufficient skills and experience to carry out the role requirements either immediately or after a short period of training.

Subject to agreement with HR, the hiring manager may need to use a more formalised selection process in the following circumstances:

- Where a post is not an exact match, and your suitability for the role needs to be explored.
- Where more than one employee with the same priority level is matched to a vacancy.

Where you are not considered to be a match, the recruiting manager must be able to objectively justify their rationale for this against the essential criteria for this post. This should include whether training within a reasonable period would enable you to meet the criteria. The rationale will be provided in writing to the redeployment contact. Your manager may be required to offer verbal feedback to unsuccessful candidates. Written confirmation may also be requested.

Any subsequent employment offer will be conditional upon all relevant pre-employment checks in the [Employment Checks Policy](#).

Trial periods or retraining

A trial period of 4 weeks will apply to employees appointed to posts via redeployment. The employer may extend trial periods by agreement. An extension may be necessary where you require additional training and development or in response to specific circumstances. For example, as a reasonable adjustment if you are disabled. The length of the extension should be reasonable and for a defined reason. The manager should get advice from the redeployment contact regarding this.

Before the start of your trial period, the hiring manager will meet with you to discuss and agree on any training needs, initial expectations and objectives within the role, and clear timescales for this. You and the

hiring manager should regularly review these requirements during the trial period.

During the trial period, you or the hiring manager may determine that the post is unsuitable. The unsuitability of the post must be clearly demonstrated in either case. Any issues arising during the trial period unrelated to the reason for redeployment should be dealt with by the hiring manager. These issues should not be used to consider a trial unsuccessful. Responsibility for pursuing further redeployment, if appropriate, will pass back to your original manager.

Salary during the trial period

Where the pay band of the new post is lower, you will retain your existing pay arrangements during the 4-week trial period. Upon satisfactory trial completion, or if the trial is extended, you will move to the pay arrangements for the new post.

If you have a disability and are appointed to a higher band, you will be paid at the higher rate during the 4-week trial period. If the trial is extended, you will continue to be paid at the rate of the new post.

You will return to your substantive pay band if you do not satisfactorily complete the trial period.

Redeployment into a fixed-term post

If you have a permanent contract and are matched to a temporary or fixed-term post, you will retain your permanent employment status. If further redeployment is to be considered, the redeployment referral form should be updated with the additional role. The reason for redeployment will remain the original reason, and the employee will be given a further three months' access to redeployment.

Unsuccessful redeployment situations

It may be identified that redeployment is unsuccessful during a trial period. In this situation, you will be given access to redeployment for the number of weeks remaining from the 3-month total access period.